



STAFF REPORT
RIVER RIM RANCH PLANNED UNIT DEVELOPMENT
MASTER PLAN AMENDMENT APPLICATION
SIGNIFICANT CHANGES, DECREASED SCALE OR IMPACT

Prepared April 25 for the May 14th, 2013
Planning & Zoning Commission Public Hearing

OWNER: Big Sky Western Bank (Glacier Bancorp)

APPLICANT: Don Chery

REQUESTS: Don Chery, agent for Big Sky Western Bank, is requesting a significant plat amendment that would reduce density and increase open space in Phases I – V of the River Rim Ranch PUD and add density to Phase VI. There is an overall reduction of 150 lots in the PUD and an increase of 588 acres of open space. The amendment would make optional both the moving of County Road 9400 W and the building of the golf course.

CODES: Teton County Subdivision Ordinance Section 9-7-1 Vacations of Plats, Easements, Rights-of-Way; Lot Consolidations and Amendments to Recorded Subdivision Documents.

LEGAL DESCRIPTION: Portions of Sections 4-10, 15-22 and 29 Township 6 N, Range 44 E, BM. River Rim Ranch, Division II.

LOCATION: River Rim Ranch is a large PUD that straddles HWY 33, approximately 7 miles west of Teton.

PROPERTY SIZE: Approximately 5,500 acres

ZONING: River Rim Ranch was approved as a Planned Unit Development which sets unique zoning and development standards within the development.

VICINITY MAP

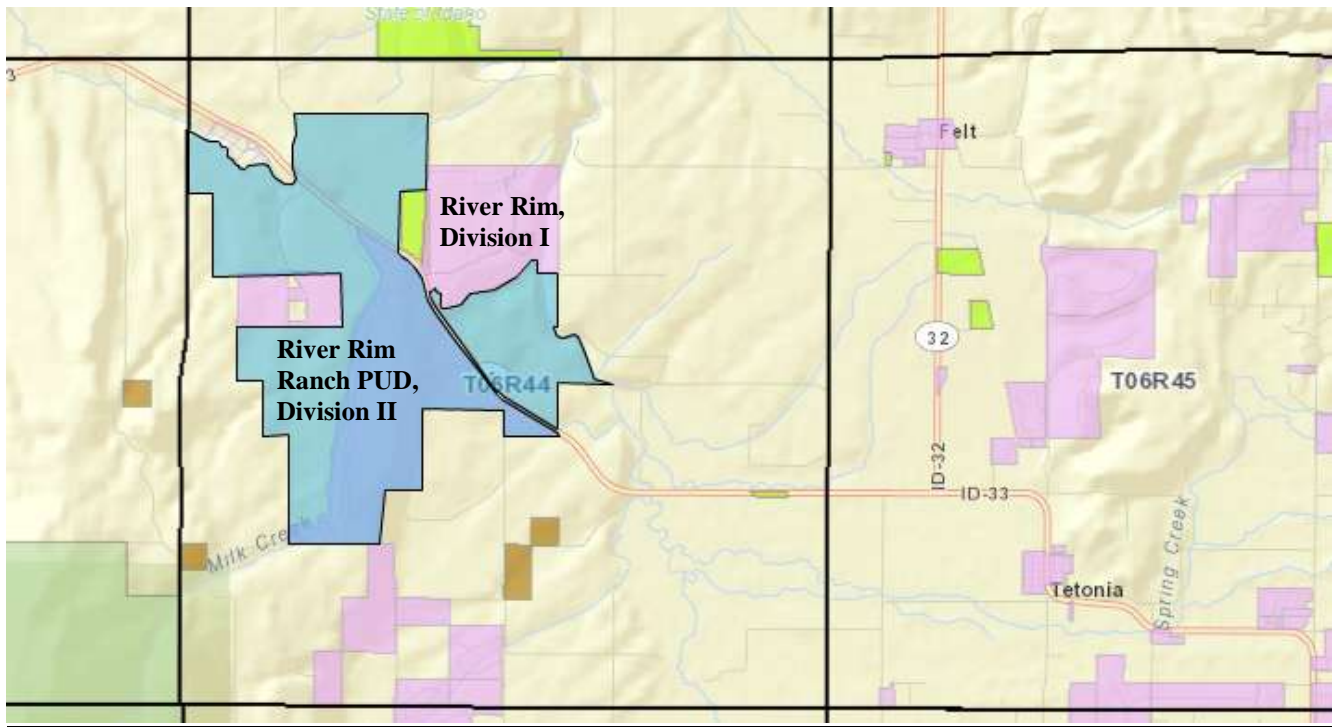


Figure 1: Vicinity Map of River Rim Ranch PUD

BACKGROUND INFORMATION

River Rim Ranch PUD, Division II is a six-phase, multi-year development project whose original approval includes commercial areas, a golf course and related golf course amenities, high density residential development around the golf course, including three “cabin tracts” and less dense “farm lots” outside of the golf course area. The project’s dense core is Phase I and Phases II – VI are less dense, designed for larger lots and active agricultural operations. Phase I infrastructure was commenced years ago but remains incomplete. The applicant has received amendments since its original approval in 2006 and is requesting another Plat Amendment for Phase I, Division II of the River Rim Ranch PUD. They are also requesting a Master Plan Amendment for the PUD Master Plan.

The proposed amendments would do the following:

- Dense cabin lots would be removed from Phase I with that area being changed to single-family lots.
- Lots that are now dedicated to golf-related amenities would be changed to single-family lots.
- The golf course would be changed to a farming/recreation amenity with a pathway system, ponds, some native grasses, woven through farmland. The creation of the golf course would be entirely optional, but the area graded for a potential future course.
- Seventy-one lots would be removed from Phases II – V of the PUD. Nine lots would be added to Phase VI. An additional 50 flexible units would be removed from the project.
- Phase VI is a phase east of HWY 33 west of the Teton River. Additional density of 9 units would be placed in this phase. The amendment would also replace 24 cabin lots with single-family lots in the footprint of the cabin lots. Additional single-family lots would be added that would increase the footprint in this phase. Biota Research and Consulting has done an analysis of this encroachment. See attachment.

- The amendment would make moving County Road 9400W optional (at the developers or future HOA's option). An easement agreement exists for the proposed location of the road that could be used as winter pathway access. The subdivision road would serve as the public access to the Forest Service. This road would be improved to county gravel standards by 2016. It would not be paved until 2026 or until thirty building permits are approved.
- A Lodge is proposed for the commercial area to the north of Phase I along HWY 33. The proposal is to turn the existing sales management building into a lodge with a kitchen and guest quarters and the possibility for additional buildings for additional overnight accommodations.
- Other commercial area uses would remain and original approval of ties to the golf course completion would be maintained. Excepting the existing building which would begin the conversion to a lodge upon approval.
- Phase I of a four-phase wastewater treatment plant has been completed. Right now, a letter of credit is in place for the second phase of the plant. The applicant is proposing releasing the letter of credit and, instead, charging a \$5,000 - \$7,500 tap fee at the time of building permit issuance that would go into a fund and be available when the second phase of the treatment plant is needed, based on occupancy.

STAFF ANALYSIS

Ultimately, this amendment is being proposed because, in the developer's opinion, the reduced infrastructure obligations and increased timeline will make the property more attractive to a potential buyer. The intent is to sell the project and the new buyer would then finish the project. If an amendment is approved, there is no guarantee that the project will be sold nor that any new owner will complete everything as planned. Nobody knows what will happen if an amendment is denied. The bank might continue to invest in the project and finish it as approved at present. The bank might stop investing in the project and it will go into breach of contract with the County and all progress will stop. It is for the PZC to decide which of these potential outcomes impacts the County and its residents least.

There are many issues to consider in this application.

1. The first decision that the Planning & Zoning Commission needs to address is whether this application falls into the "Significant Change, Decrease Scale, Impacts" category of the code. See purpose and definitions below. There is a large reduction of lots and an increase in open space, however, these benefits do not come independently; the development was approved based on the representation of a golf course and of moving/improving a County Road. The developer is asking to make these tasks optional and also, for more time to complete many of the improvements in Phase I, the Golf Course area.
 - a. Golf Course: It is questionable whether Teton Valley needs another golf course, especially one so far from town. However, many people have bought lots in the River Rim development based on a vision that included a golf course and golf course amenities. If this area could be turned into an equally-attractive amenity (or an attractive amenity)- for example, an area that could be used for hiking and wildlife viewing- then perhaps the loss of a golf course would not be as big of a loss. On the other hand, the golf course area, as is, has a massive weed problem and there needs to be intense management to tackle the weeds throughout the development and some sort of replanting of the area needs to happen quickly. Staff recommends the golf course area be reclaimed by 2015 (or earlier), not 2016 as proposed. Staff also recommends a weed management plan that is approved by the County Weed Supervisor.
 - b. County Road: County Road 9400 W is used for agricultural purposes as well as recreation access in addition to residential access. Having such a county road run

through the middle of a dense residential area is a bit unusual and could create conflicts between the residents who will live in River Rim and users of the Road. The road has relatively low traffic volume, but heavy farm machinery does utilize it.

2. All “difference calculations” for this project must be made based on what is currently approved, not what was originally approved. Twenty cabin units were previously eliminated during an amendment. Therefore, even though the developer continues to use them, those twenty lots cannot be considered in the current “difference calculations.”
3. Staff would like to see the County portion of the loop road upgraded to gravel standards by 2014. This portion of the loop road will replace the existing County road 9400W. The County has been counting on the developer to move the road and upgrade it, originally by 2010. This road provides public access to the Forest Service and should be upgraded quickly.
4. The paving of turn lanes into the development from HWY 33 should be tied to paving of the loop road. If there is enough traffic on the loop road to warrant paving, especially now that it is tied to the number of building permits issued, it would warrant a turn lane. Surety would be required for all paving projects, the loop road and the turn lanes.
5. All future phases must be approved by the BOCC, not the planning administrator. While entitlements and the “picture” of the development as depicted in the master plan are assured by BOCC approval of a master plan, it is the equivalent of “preliminary approval” and the BOCC must approve the final plat. This final plat is subject to the design standards in place at the time of the approval.
6. Those most impacted by the proposed amendments will be the people who have made an investment in the River Rim development by buying a lot. It would be nice to hear from the HOA if they have comments on this project.
7. There needs to be more clarification on the commercial area. Staff recommends that all commercial uses, outside of those directly related to the development such as a sales office, be tied to the completion of the golf course (this is currently the case). The existing building (the sales office) could be converted to a lodge that would not be tied to the golf course. Additional structures or units for lodging besides what is currently built would need to be tied to the golf course.
8. The proposal for the existing sales office needs to be clarified. Exactly how many units are being requested and exactly how many additional buildings. It is staff’s recommendation that the existing building be turned into a lodge and any additional buildings used for the lodge be tied to the golf course. The existing building may be turned into no more than 10 guest units.
9. If no golf course is built, the applicant proposes that 21 units that would otherwise be on golf amenity lots (for example, the Operations and Maintenance Building lot) be moved to Tract E. If there is a golf course, the applicant will need to apply for a plat amendment that shows the new location of these 21 lots. This amendment would need review only by the BOCC.
10. An access permit from ITD will be needed for the road to Phase VI from HWY 33.
11. Phase I of Division II must be complete before other phases are platted and started. However, “completion” is somewhat subjective given the options proposed by the applicant. Staff recommends that as soon as all building lots in Phase I are eligible for certificates of occupancy, then future phases will be eligible for the final platting process.

CONSISTENCY WITH THE APPLICABLE POLICIES OF THE TETON COUNTY COMPREHENSIVE PLAN

The 2012-2030 Comprehensive Plan enumerated a vision and set of policies for the Valley.

Goal ED 1: Develop a coordinated and collaborative economic development strategy that encourages, promotes and supports locally-owned businesses and creates a hospitable and attractive environment for businesses and tourists. N/A

Goal ED 2: Preserve our rural character and heritage and promote local agricultural industries.

This proposed amendment reduces density and increases open space, which presumably will be used for farming.

2.1 Encourage development and land use proposals that support prime economic values of rural character and heritage.

This proposal incorporates farming into the development.

2.2 Promote local agricultural industries and businesses.

This proposal incorporates farming into the development, however does not affect the “industry” of agriculture.

2.3 Promote smart growth strategies that help preserve rural character by enhancing existing communities and directing development towards them.

This proposal does not support this policy.

2.4 Encourage and attract businesses that are economically and environmentally friendly, and promote stewardship and accountability in business.

This proposal does not affect this policy.

2.5 Encourage development that adheres to environmental standards.

The environmental impacts of the River Rim Development are not insignificant. The question before the PZC, however, is whether this proposal improves the situation over what is currently approved or not. The reduced number of lots and increased open space improve the impacts to the environment, while not completing the golf course or moving the road probably have little effect on the environment.

2.6 Encourage policies and resources which enable farms to adapt to changing paradigms.

River Rim is a good example of how both the physical and fiscal landscape of Teton Valley is changing. The owners are adapting to a new paradigm that the land is as valuable when classified as farmland as it is when residential lots and the return on investment for new residential development is much lower than folding the land into an existing farming operation.

Goal ED 3: Recognize that tourism and lifestyle are fundamental components of our economy and are dependent on healthy natural resources.

There has been much scrutiny about whether the additional lots encroach into wildlife habitat. The developer has paid Biota Research and Consulting to do an analysis of the wildlife habitat in the area of the encroachment. We are waiting for agency comments from Idaho Fish and Game.

3.1. Encourage economic development through the promotion of recreational opportunities and natural resources.

If the golf course area was turned into a habitat area and wildlife viewing area, this policy might be met. A farmed area with ponds and a pathway through it might serve as a more attractive recreation area than just a farmed area.

3.2. Conserve Teton County’s natural resources in order to enhance economic development.

If the developer creates an amenity that showcases Teton Valley’s natural resources, it might be more attractive to potential buyers and, therefore, may enhance economic development.

Goal ED 4: Accommodate additional population by supporting development that is economically responsible to the County and the community.

4.1 Assess the public service requirements of new developments and weigh their off-site impacts against projected changes in revenue before approving new developments.

There is a large cost of services to support a resort community 15 miles from Driggs. However, the proposed amendment would decrease those costs of services by decreasing the number of potential units in this location.

- 4.2 Support local retail by placing adequate residential density in close proximity to businesses.
This policy is not supported.
- 4.3 Consider the economic impact of supply and demand in residential development.
The proposed reduction of supply may support helping Teton County's over-supply of residential building lots.
- 4.4 Utilize a variety of regulatory and incentive-based tools to reduce density in sensitive areas and encourage density in areas where services exist.
This proposed amendment is a result of these incentive-based tools.
- 4.5 Limit commercial retail business to Driggs, Victor and Tetonia.
This policy is not supported if commercial is allowed in this area.
- 4.6 Provide a variety of housing types that are accessible to a socially and economically diverse population.
This policy is not supported.
- 4.7 Encourage creative economic solutions such as live-work opportunities and appropriate home businesses.
This policy is not supported.
- 4.8 Encourage the development of low-density, high-quality neighborhoods adjacent to existing cities.
This policy is not supported.
- 4.9 Maintain rural areas that encourage farming and ranching and support low density residential development.
The original approval of the River Rim project incorporated farming into the design plan. This proposed amendment allows Phases II – V to be farmed.

Goal ED 5: Support the development of a communications Master Plan. N/A

Goal T 1: Provide well-maintained transportation infrastructure including roads, paved pathways and sidewalks.

The proposed amendments provide walking paths inside the subdivision that would also connect to the Division I pathways. The HOA would be responsible for maintaining the County Road through the subdivision. While this will take this burden off of the County Road and Bridge department, it is relying on a functional HOA.

- 1.1 Improve the conditions and safety for vehicles, bicycles and pedestrians of existing transportation infrastructure, especially roads important for agriculture.
The proposed amendment puts a County Road, which is often used for agriculture, through the middle of a dense residential area. This probably does not improve safety for the residents.
- 1.2 Identify and implement financing mechanisms to pay for needed transportation maintenance and improvements.
The proposed amendment is not applicable to this policy.
- 1.3 New development will provide adequate transportation facilities to accommodate needed services.
The proposed amendment is not applicable to this policy.
- 1.4 Adopt a variety of design standards for all transportation infrastructure.
The proposed amendment is not applicable to this policy.

- 1.5 Provide/promote off-road transportation corridors to and from Public Lands suitable for both motorized and non-motorized vehicles.

The proposed amendment would provide winter access to the USFS via an easement and summer access via a County road through the subdivision.

- 1.6 Educate and inform the public regarding transportation goals, costs and benefits; road construction and maintenance; and plowing schedules and policies.

The proposed amendment is not applicable to this policy.

- 1.7 When key infrastructure (roads, bridges, pathways, etc) is damaged or destroyed by naturally occurring events, including deterioration due to age and use, it should be replaced within as short a timeframe as feasible to avoid disruption of service to the public.

The proposed amendment is not applicable to this policy.

Goal T 2: Create convenient, safe, timely, financially sustainable and efficient options for multi-modal* transportation that satisfies a multitude of needs. N/A

Goal T 3: Provide a well-connected transportation network within Teton Valley and within the region. N/A

Goal T 4: Develop transportation appropriate for a rural community, respectful of the unique character of Teton Valley. N/A

Goal T 5: Support continued improvements to the Driggs Memorial Airport to support Teton County's aviation needs. N/A

Goal NROR 1: Conserve our public lands, trail systems, and natural resources (air, water, wildlife, fisheries, wetlands, dark skies, viewsheds, soundscape, soils, open space, native vegetation). N/A

Goal NROR 2: Enhance and preserve access to public lands and recognize the need to accommodate different user groups in a way that minimizes user conflict and damage to natural resources. *Public access to National Forest during the summer would be through a developed part of the subdivision. The winter access would be via the easement agreement that defines the western boundary of Phase I. Public access, both summer and winter would need to be assured.*

- 2.1 Maintain and improve existing public land and river access.

The proposed amendment would maintain public access via the subdivision.

- 2.2 Support the creation of new public land access when it's consistent with natural resource conservation goals.

The proposed amendment is not applicable to this policy.

- 2.3 Support the creation of a County motorized and non-motorized summer and winter travel plan which includes access points.

The proposed amendment is not applicable to this policy.

- 2.4 Consider and accommodate access for different user groups to minimize user conflict and resource damage.

The proposed amendment is not applicable to this policy.

- 2.5 Seek cooperation of private landowners to improve accessibility to adjacent public lands.

Winter access, which presumably would include a snow machine path, would be via the existing access easement that forms the western boundary of Phase I. If the road was ever relocated, there is additional acreage adjacent to the road easement that is dedicated to recreational access.

- 2.6 Work with state and federal agencies and private landowners to protect environmentally-sensitive areas from resource degradation.

The proposed amendment is not applicable to this policy.

Goal NROR 3: Provide and promote exceptional recreational opportunities for all types of users (including but not limited to biking, skiing, fishing, off-highway vehicle use, target practice, hunting, trail users, equestrians, boating, non-motorized flight) as a means for economic development and enhanced quality of life. N/A

Goal NROR 4: Balance private property rights and protection of our natural resources.

4.1 Ensure that development regulations balance natural resources protection, watershed protection and growth, are clear and predictable, and preserve the economic value of the land.

The primary purpose of this proposal is to make the development economically viable so that the bank can sell the project. The bank has stated that without the added financial burdens of the golf course, moving the road and the wastewater system letter of credit, that the project will be more attractive to a potential buyer.

Goal NROR 5: Recognize, respect and/or mitigate natural hazards, including but not limited to flooding, earthquakes, landslides, radon and fires. N/A

Goal NROR 6: Promote natural resource protection by a variety of means including financial compensation for willing buyer/willing seller agreements that promote open space acquisition and land and water easements. N/A

Goal NROR 7: On public lands and accesses, balance recreation with protection of natural resources. N/A

Goal NROR 8: Respect sensitive habitat and migration areas for wildlife.

Phase VI, along the Teton River rim, does host a migration corridor for big game. This area, with its proximity to the river and its route from the foothills of the Tetons to the Big Holes, hosts many species of wildlife. Whether the addition of nine homes in this habitat area is deleterious to wildlife should be considered. A report from Biota Research and Consulting indicates that the new lots are being sited in an area that does not contain critical habitat because of the agricultural activity in the area.

8.1 Teton County recognizes that wildlife and wildlife habitats provide economic, recreational, and environmental benefits for the residents and visitors of Teton County. Land development decisions will strongly weigh the needs of wildlife to protect the inherent values that they provide.

Additional density in Phase VI is a consideration that needs to be weighed against the protection of natural resources.

8.2 Work with landowners, the Idaho Department of Fish and Game, other state and federal agencies, non-governmental organizations, and other natural resources professionals to utilize wildlife habitat and species information and other tools (such as Western Governors Association Crucial Habitat Assessment Tool and the Wildlife Overlay Map), including new information as it becomes available, to make land use and site planning decisions.

The County has requested additional information for a natural resources analysis from the applicant. This analysis uses information drawn from existing sources in addition to site visits.

8.3 Minimize the cumulative impacts of development on wildlife and wildlife habitat.

This policy needs to be weighed when reviewing this application.

8.4 Protect and/or improve the diversity of native vegetation.

Some land will be farmed, which does not improve diversity of native vegetation. The golf course area, however, will have some portion of it reseeded with native vegetation and will host small ponds that could diversify the surrounding riparian vegetation.

8.5 Protect and improve riparian and aquatic habitats.

- Ponds in the golf course area, if maintained for riparian habitat, could support this policy.*
- 8.6 A Wildlife Impact Mitigation Plan shall be developed for any development project which impacts an important habitat or which presents concerns of detrimental human-wildlife interaction. Requirements and performance standards for the mitigation plan shall be clearly established in the Zoning and/or Subdivision Ordinance and shall be the basis for approval of the plan.
Without clear mitigation guidance in the development code, the County is relying on comments from Fish and Game to provide guidance if mitigation is needed for this project.
- 8.7 Provide incentives for voluntary habitat buffers, seasonal use restrictions, and aquatic connectivity along key drainages.
This policy does not apply, although the project does limit added density in a migration corridor along the Teton River rim.
- 8.8 Work collaboratively with other jurisdictions to preserve, enhance, restore and maintain undeveloped lands critical for providing ecosystem connections and buffers for joining significant ecosystems.
This policy does not apply.
- 8.9 Designate and map lands within or buffering Teton River Canyon as an irreplaceable natural area, and work with private landowners and government agencies to protect and conserve the area's ecological resources, including wintering big game and cutthroat trout.
This policy does not apply, although the proposal does have potential impacts on the Teton River Canyon.

Goal CEF 1: Provide high-quality public and private services and facilities in a coordinated manner for the health, safety, and enjoyment of the community. N/A

Goal CEF 2: Encourage the development and support of high-quality education facilities (primary, secondary and post-secondary) and diverse and affordable activities for all ages. N/A

Goal CEF 3: Encourage an environment that fosters community involvement. N/A

Goal CEF 4: Adequately fund existing and future public services and facilities. N/A

Goal ARH 1: Preserve and enhance Teton Valley's small town feel, rural heritage and distinctive identity.

- 1.1 Ensure that planned growth maintains Teton Valley's rural character.
Dense development in rural areas does not maintain Teton Valley's rural character. The question is whether this amendment improves the situation over what is already approved.
- 1.2 Encourage vacation of subdivision plats where appropriate and viable.
This policy is not applicable.
- 1.3 Ensure that open spaces are managed responsibly.
The River Rim project has large amounts of open space that have been and will continue to be farmed. However, the golf course area, also counted as open space, has not been managed well and there is a massive weed problem on the property. The owner has been spraying weeds, but this work will need to continue, aggressively, into the future.
- 1.4 Maintain the County's rural heritage through the scenic corridors.
This policy is not applicable.
- 1.5 Support the preservation of open space, farmland, natural beauty, and critical environmental areas.
The River Rim project has approximately 2,800 acres of open space (3,400 proposed). Most of those areas are intended to be farmed. Two hundred and seventy acres are in the golf course area.

- 1.6 Encourage higher density development in the cities of Driggs, Victor, and Tetonla.
This proposal does not support this policy.

Goal ARH 2: Balance property rights and rural character. N/A

Goal ARH 3: Support and enhance agriculture and ranching. N/A

Goal ARH 4: Respect cultural heritage sites. N/A

Goal ARH 5: Reduce infestation/introduction of invasive species.

Weeds are a major problem in the River Rim complex with disturbed soils being left unattended and, in some cases, unplanted, for years. The weed problem needs to be addressed in earnest. A weed management plan needs to be created and followed to support weed-fighting efforts.

- 5.1 Support on-going efforts to map current noxious weed infestations.
A weed management plan could include mapping of weed infestations.
- 5.2 Continue support of public education and outreach that target noxious weed identification, landowner control responsibilities under Idaho State Law, noxious weed management options and noxious weed management funding alternatives.
This policy is not applicable.
- 5.3 Continue to offer cost share assistance to willing landowners through the Idaho State Department of Agriculture's (ISDA's) noxious weed cost share grant program.
This policy is not applicable.
- 5.4 Support current county weed control enforcement policies to better report, police and enforce noxious weed violations under State Law in a fair, timely and consistent manner.
This policy is not applicable.
- 5.5 High priority will be given to managing invasive species that have, or potentially could have, a substantial impact on county resources, or that can reasonably be expected to be successfully controlled.
This policy is not applicable.
- 5.6 Address the cause of invasive species infestations and work to reduce initial outbreaks especially on disturbed lands.
Additional disturbances, especially with seed sources in the area, should be carefully managed and protected against weed infestations.
- 5.7 Provide public education on appropriate uses of chemical weed control so that it is used in a way that is compatible with surrounding uses.
This policy is not applicable.

CONSISTENCY WITH THE APPLICABLE TETON COUNTY SUBDIVISION CODE

Teton County Title 9, the Subdivision Ordinance, outlines criteria for approval for a plat amendment, significant change- decrease scale, impact. "The purpose and intent also is to reduce the intrusion of development into sensitive natural areas of the county and reduce the governmental costs associated with scattered development by expediting changes to recorded plats that reduce the number of vacant platted lots in the county."

Subsection 9-7-1 (B-2-c)- Definitions

"Decrease Scale, Impact are changes that substantially decrease the scale or scope of the platted subdivision, and substantially decrease the direct or indirect impacts on the immediate neighborhood, general vicinity of the subdivision or overall community. Substantial changes may include a reduction in the number of lots or parcels." It is worth PZC consideration as to whether or not this application meets the definition of decrease scale or impacts.

CONSISTENCY WITH THE APPLICABLE STATE OF IDAHO CODE

Idaho State Statute 67-6513, Subdivision Ordinance, requires that all subdivisions do not impose substantial additional costs upon current residents. By decreasing the total number of dwelling units in the County, this proposal does not impose a burden on current residents. The County Road, which might never get relocated, would be maintained by the subdivision. This may also take some burden off of the County Road and Bridge department.

AGENCY & DEPARTMENTAL TECHNICAL COMMENTS

Engineer: Engineer's comments are forth-coming.

Fish & Game: The County will not have comments from Fish & Game until after the May public hearing. For this reason, staff recommends continuing the public hearing until June 11 so that those comments can be incorporated into the application.

NEIGHBOR COMMENTS:

- Two neighbors in Division I are concerned that their investment in the River Rim project is being compromised by this amendment. They are concerned that the proposal has a financial benefit for the developer and could leave the land owners with additional liability, in particular maintenance of roads and public spaces.
- Glenn Moradian wrote in favor of the River Rim development and the proposed amendments.
- Private Capital Group, Inc, on behalf of the owners of five lots, wrote in favor of the amendments, but wanted the golf course to remain a requirement of the development agreement.
- Sandy and Mary Mason wrote in opposition to the River Rim amendments, specifically stating that the impacts to the South Canyon Phase do not constitute a decrease of impacts.
- Sean Crafrafft wrote in favor of the amendments.

PUBLIC NOTICE:

1. Legal ads were made to the Teton Valley News in accordance with local and state requirements.
2. A development notification was mailed to landowners within 300 feet and to those who own land within subdivisions within 300 feet of the subject property.
3. A development notice was posted onsite in accordance with all code requirements.

Staff Recommendation: Staff recommends continuation of this application until agency review of the wildlife habitat overlay and landscape management assessment has been received.

PROPOSED CONDITIONS: The PZC might consider the following conditions that the applicant should address before the next meeting:

1. Golf course area completed by 2015 (or sooner).
2. Golf course area be primarily wildlife habitat rather than farming.
3. Portion of Loop Road used for County Road to County gravel standards by 2014.
4. Road access permit from ITD for the Phase VI access from HWY 33.
5. Turn lanes on HWY 33 tied to the paving of the Loop Road.
6. All future phases must be approved by the BOCC, not the Planning Administrator.
7. Weed management needs to be more aggressive. A weed management plan needs to be approved by the Teton County Weed Supervisor and recorded with the final master plan.

8. A more concise plan for the commercial area. Commercial uses would not be allowed until the golf course is built with few exceptions (i.e. a sales office, existing buildings and the proposed lodge).
9. A more concise plan for the existing sales building (proposed lodge).
10. If a golf course is to be built, a plat amendment would be required to move the residential lots proposed for the club house area etc. to Tract E (add to the Development Agreement).
11. The road paving is tied to 30 building permits, not occupancy permits.
12. A clear plan for public access along the "County Road" both for winter and summer.
13. A comment letter from the HOA.
14. All lots in Phase I must be eligible for certificates of occupancy before final plat of any other future phase shall be considered. Future phases may be completed in any order after Phase I.
15. All comments from the Engineer and the Prosecutor shall be addressed.
16. All comments from outside agencies shall be addressed.

PROPOSED MOTION:

I move to continue the public hearing of the River Rim Ranch PUD amendments until the June 11, 2013 public hearing so that more information can be gathered and analyzed including a Fish and Game review of the Habitat Assessment [and any other additional information the PZC might request].

Attachments:

Application Materials
Staff questions and Applicant Responses
Agency Comments
Public Comment